

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC. SECURITIES LITIGATION	CASE NO. 4:19-CV-00957 (CONSOLIDATED)  JUDGE GEORGE C. HANKS, JR.  THIS DOCUMENT RELATES TO: CASE NO. 4:22-CV-01189 CASE NO. 4:22-CV-02590
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**Declaration of Matthew A. Peller Regarding Service and CM/ECF Unavailability**

I, Matthew A. Peller, hereby declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am Senior Counsel at the law firm Rolnick Kramer Sadighi LLP, attorneys for (a)(i) Alyeska Master Fund, L.P., (iii) Alyeska Master Fund 2, L.P., and (iii) Alyeska Master Fund 3, L.P. in *Alyeska Master Fund, L.P. v. Alta Mesa Resources, Inc.*, Case No. 4:22-cv-01189 (S.D. Tex.), and (b)(i) Orbis Global Equity LE Fund (Australia Registered), (ii) Orbis Global Equity Fund (Australia Registered), (iii) Orbis Global Balanced Fund (Australia Registered), (iv) Orbis SICAV, (v) Orbis Institutional Global Equity L.P., (vi) Orbis Global Equity Fund Limited, (vii) Orbis Institutional Funds Limited, (viii) Allan Gray Australia Balanced Fund, (ix) Orbis OEIC, and (x) Orbis Institutional U.S. Equity L.P. in *Orbis Global Equity LE Fund (Australia Registered) v. Alta Mesa Resources, Inc.*, Case No. 4:22-cv-02590 (S.D. Tex.). The plaintiffs in these two cases are referred to collectively herein as the “Alyeska and Orbis Plaintiffs.” These two cases have been consolidated into *In re Alta Mesa Resources, Inc. Securities Litigation*, Case No. 4:19-cv-00957 (S.D. Tex.).

2. Per stipulation, the Alyeska and Orbis Plaintiffs' opposition (the "Opposition") to the following motions to dismiss (the "Motions") are due on February 17, 2023: (i) Defendants' Motion to Dismiss (ECF No. 265); (ii) the Motion of Donald Dimitrievich to Dismiss Plaintiffs' Complaint and Incorporated Memorandum of Law (ECF No. 264); (iii) William McMullen's Motion to Dismiss Plaintiffs' Claims Against William McMullen (ECF No. 266); and (iv) the Joint Motion of HPS Investment Partners, LLC, Bayou City Energy Management, LLC, and ARM Energy Holdings LLC to Dismiss Plaintiffs' Section 20(a) Claims and Incorporated Memorandum of Law (ECF No. 263).

3. According to emails from the Court, "[t]he District Court CM/ECF and PACER systems for the [U.S. District Court for the] Southern District of Texas will be unavailable to the public from 6:00PM on Thursday, February 16, [2023] until some time late in the holiday weekend."

4. In addition, on February 17, 2023, I attempted to log-on to the CM/ECF website for the Court, and verified that the webpage was not available.

5. Accordingly, I have caused the Opposition (and accompanying proposed order) to be served on February 17, 2023 via email to counsel of record for all Defendants. Those counsel's email addresses are listed as Appendix A hereto.

6. I intend to file electronically the Opposition (and accompanying proposed order) on the first business day that the Court's CM/ECF system becomes operational and accessible.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 17, 2023.

/s/ Matthew A. Peller  
Matthew A. Peller

## Appendix A

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